

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70300 of 2021

Arising Out of PS. Case No.-24 Year-2021 Thana- SAKRA District- Muzaffarpur

RAHUL KUMAR @ RAHUL KUMAR MAHTO Son of Deepak Mahto
Resident of Village Sakarpura, P.S. - Bakhri, District - Begusarai.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Amit Kumar Jha, Advocate

For the Opposite Party/s : Mr. A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 16-05-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

Let the defect(s), if any, be removed within a period
of four weeks after complete start of the physical Court.

The petitioner seeks bail in a case registered for the
offences punishable under Sections 395 and 397 of the Indian
Penal Code read with Section 27 of the Arms Act.

Learned counsel for the petitioner submits that the
petitioner is in custody since 18.01.2021, charge-sheet has been
submitted and has antecedent of seven cases.

The informant alleges that he was posted as the
Manager in Bandhan Bank and on 08.01.2021 at about 08:05
p.m. when the bank opened at that time the Assistant Manager
and Cashier worth present along with 5-6 customers then a lady
entered and behind her back four criminals entered carrying



pistol and thereafter looted cash worth Rs.17,09,980/- and thereafter tried to break the lock of the vault room but were not able to break and open the vault and thereafter the criminals started fleeing after committing the loot. It is alleged that three accused fled on a Pulsor motorcycle while two accused tried to flee on Apache motorcycle but the motorcycle did not start. It is alleged that thereafter one person from the crowd apprehended one of the accused but the other accused fired at him causing injury and both the accused fled away leaving behind the Apache motorcycle.

Learned counsel for the petitioner submits that the FIR is against unknown and the petitioner has not been put on T.I. Parade and name of the petitioner transpired in the confessional statement of co-accused Sudhir Sharma which has no evidentiary value. It is further submitted that police based on the antecedent of the petitioner got him implicated through Sudhir Sharma.

Learned A.P.P. for the State vehemently opposes the prayer for regular bail of the petitioner.

At this stage, the learned counsel for the petitioner seeks permission to withdraw the present bail application with liberty to renew his prayer for bail after framing of charge.



Permission is accorded.

Accordingly, this application is dismissed as withdrawn in connection with Sakra P.S. Case No. 24 of 2021 pending in the Court of learned Additional Chief Judicial Magistrate-XII, Muzaffarpur/successor Court.

(Satyavrat Verma, J)

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